

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**RODNEY NICHOLS, an individual;**

**Plaintiff,**

**vs.**

**FIRST DATA RESOURCES, LLC, a  
Delaware Limited Liability Corporation;**

**Defendant.**

**8:18CV378**

**AMENDED  
FINAL PROGRESSION ORDER**

This matter comes before the Court on the parties' Joint Stipulation to Extend Scheduling Deadlines ([Filing No. 17](#)). After review of the parties' stipulation, the Court finds good cause to grant their requested extensions. Accordingly,

**IT IS ORDERED:** The Joint Stipulation to Extend Scheduling Deadlines ([Filing No. 17](#)) is granted, and the following case progression deadlines shall apply:

- 1) The jury trial of this case remains set to commence before Robert F. Rossiter, Jr., United States District Judge, in the Special Proceedings Courtroom, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at **9:00 a.m. on March 9, 2020**, or as soon thereafter as the case may be called, for a duration of three (3) trial days. This case is subject to the prior trial of other civil cases that may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference remains scheduled before the undersigned magistrate judge on **February 24, 2020, at 10:00 a.m.**, in chambers. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [nelson@ned.uscourts.gov](mailto:nelson@ned.uscourts.gov), in Word format, by **3:00 p.m. on February 17, 2020**.
- 3) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **November 1, 2019**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **November 8, 2019**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference to discuss the parties' dispute.

- 4) The deposition deadline is **November 1, 2019**.
- 5) The deadline for filing motions to dismiss and motions for summary judgment remains **November 15, 2019**.

- 6) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 26<sup>th</sup> day of August, 2019.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge